

d. Find that the terms of the Settlement Agreement fair, reasonable, and adequate and approved, adopted, and incorporated by the Court;

e. Direct the Parties, their respective attorneys, and the Claims Administrator to consummate the Settlement in accordance with the Court Order and the terms of the Settlement Agreement.

f. Resolve all claims against all parties in this Action and issue the Proposed Final Approval Order previously filed as Exhibit F to ECF 61-1 (and resubmitted in Word format to the Court via email).

This Motion is based on: the Supporting Suggestions filed herewith; the Settlement Administrator Declaration of Postlethwaite & Netterville, APAC (“P&N”) in Support of Final Approval filed herewith; the Declaration of David K. Lietz in Support of Plaintiffs’ Motion for Final Approval of Class Action Settlement filed herewith; the Settlement Agreement entered into between the parties as well as the Notices issued to the Class at ECF 61-1; Plaintiffs’ Motion for Preliminary Approval of Class Action Settlement, Supporting Suggestions, and Supporting Declaration at ECF 60, 61, and 61-1; and Plaintiffs’ Motion for Approval of Attorneys’ Fees, Costs, and Service Awards and accompanying documents at ECF 69 and 70; all other pleadings and papers on file in this action; and any oral argument that may be heard by this Court at or prior to the Final Approval Hearing currently scheduled for June 16, 2022.

Defendant does not oppose the relief sought in this motion.

Wherefore, premises considered, Plaintiffs request that this Court grant this motion.

Dated April 6, 2022

Respectfully submitted,

/s/David K. Lietz

David K. Lietz (admitted *pro hac vice*)

MILBERG COLEMAN BRYSON

PHILLIPS GROSSMAN, PLLC

5335 Wisconsin Avenue NW, Suite 440

Washington, D.C. 20015-2052

Telephone: (866) 252-0878

Facsimile: (202) 686-2877

dlietz@milberg.com

J. Gerard Stranch, IV (admitted *pro hac vice*)

BRANSTETTER, STRANCH &

JENNINGS, PLLC

223 Rosa Parks Avenue, Suite 200

Nashville, TN 37203

Tel: (615) 254-8801

gerards@bsjfirm.com

Lynn A. Toops (admitted *pro hac vice*)

Vess A. Miller (admitted *pro hac vice*)

Lisa M. La Fornara (admitted *pro hac vice*)

COHEN & MALAD, LLP

One Indiana Square, Suite 1400

Indianapolis, IN 46204

Tel: (317) 636-6481

ltoops@cohenandmalad.com

llaforara@cohenandmalad.com

Samuel J. Strauss (admitted *pro hac vice*)

TURKE & STRAUSS LLP

613 Williamson Street Suite 201

Madison, WI 53703

Tel: (608) 237-1775

Sam@turkestrauss.com

James J. Rosemergy

CAREY DANIS & LOWE

8235 Forsyth Blvd., Ste. 1100

St. Louis, MO 63105

Tel: (314) 725-7700

Fax: (314) 721-0905

jrosemergy@careydanis.com

Attorneys for Plaintiffs and Settlement Class

CERTIFICATE OF SERVICE

I hereby certify that on April 6, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing by electronic mail to the attorneys and parties of record.

/s/David K. Lietz
David K. Lietz